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Dec 16 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Berkeley County
Honorable Deadra L. Jefferson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES E. RILES,

APPELLANT

APPELLATE CASE NO. 2024-000650

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for James E. Riles, respectfully requests a **fifth and final thirty (30) day extension from December 16, 2024, until January 15, 2025**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. This is a fifth request for an extension based on the exigency below.

1. The initial brief of appellant and designation of matter in this case are due to be served and filed with the Court on December 16, 2024.

2. Counsel for James E. Riles respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **Counsel's husband was unexpectedly hospitalized on December 8, 2024.**

3. Counsel had an oral argument in the case of Willie M. Williams v. The State before



the Court of Appeals on December 5, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Terrance Seabrook v. The State with the Supreme Court on November 25, 2024. Counsel filed the Anders brief of appellant, designation of matter and record on appeal in the case of Toya Steward The State v. Toya Danielle Steward with the Court of Appeals on November 22, 2024. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Francisco Rodriguez with the Supreme Court on November 21, 2024. Counsel filed the reply brief of petitioner in the case of Maurio D. Rivers v. The State with the Court of Appeals on November 7, 2024. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Alexander Rhue, Jr. with the Supreme Court on November 6, 2024. Counsel filed the brief of respondent in the case of Angelo H. Taylor v. The State with the Court of Appeals on October 23, 2024. Counsel filed the reply to return to petition for writ of certiorari in the case of Stepheno Alston v. The State with the Supreme Court on October 17, 2024. Counsel filed the petition for rehearing in the case of Dennis Cumbee v. The State with the Court of Appeals on October 17, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Francisco Maldonado-Molina with the Court of Appeals on October 7, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Larry King with the Court of Appeals on September 30, 2024.

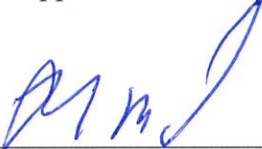
4. Counsel makes this request in good faith and not for purpose of delay.

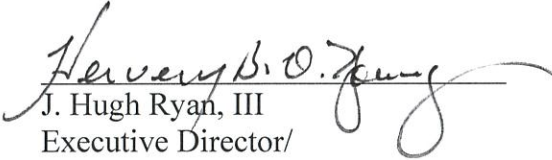
5. On November 27, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2024.

WHEREFORE, the undersigned counsel respectfully requests a **fifth and final thirty (30) day extension from December 16, 2024, until January 15, 2025**, in which to serve and file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Senior Appellate Defender


Robert M. Dudek
Chief Appellate Defender


J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 16th day of December, 2024.

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the motion for extension of time to serve and file the initial brief of appellant and designation of matter in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 16th day of December, 2024.

Kathrine H. Hudgins
by [Signature] w/permission

Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT